

The prior patents do not disclose any method as claimed.

Johannson Sweden No. 148,436 shows a vial with an outer straight wall and an inner curved cavity. However, this patent does not disclose any method of making the vial. Hence, this patent does not anticipate.

Wright Patent No. 5,003,609 shows a vial in which the entire inner cavity is symmetrical and curved all around. The patent does disclose any method of making the vial. Hence, it does not anticipate.

Ours Patent No. 5,595,518 merely shows a mold for making a fin. It does not show a vial that has an outer straight wall and a curved inner cavity nor any method of making such a vial. Hence, this patent does not anticipate.

The Examiner has also suggested the combination of *Wright* with *Ours* and *Wright* with *Johannson* and *Ours* and has rejected claims 35 and 36-43, respectively, as being rendered obvious by the combined references. Applicant submits that even when combined the resulting method would still be different from applicant's invention and would not render applicant's invention obvious. The resulting method of the combined references would still lack the simultaneous formation in one step of a vial having an outer straight cylindrical configuration and an inner curved cavity. Nothing in the cited references, including the *Ours* patent, discloses this method. All that *Ours* discloses is the formation of a fin with curved outer and inner curved surfaces. It does not show the method of making a vial by simultaneously making the outer wall straight and the inner cavity curved. The patents to *Wright* and *Johannson* do not disclose any method of making a vial with simultaneous formation of a straight outer wall and a curved inner cavity. The Examiner states that the method steps would be met during the normal manufacturing process of "the device stated above" but has cited no reference to show this normal manufacturing process. All that the combination of references disclose is the formation

of a fin having a curved outer surface and a curved inner cavity. Nothing in the cited references discloses or suggests the formation of a vial with an outer straight surface and a curved inner cavity in a single simultaneous step. Hence, the suggested combination of references would not render applicant's invention as set forth in claims 35 and 36-43 obvious.

Since none of the prior patents either alone or in combination with each other neither render applicant's invention obvious nor anticipate applicant's invention, allowance of the application is respectfully requested.

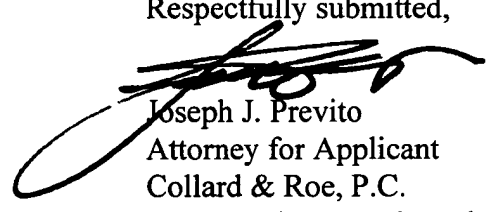
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I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Commissioner of Patents and Trademarks, Washington, D.C. 20231, on August 23, 2003.



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Respectfully submitted,



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